

October 31, 2005

Federal Communications Commission
Washington, DC

Dear Commissioners,

Thank you for issuing this NPRM. As a congenitally deaf person, television closed captions have been a lifeline for me – both as a way to be informed and as a means of personal enjoyment.

1. In my personal opinion, the greatest barrier to ensuring effective quality of captions is lack of access to the networks. While we cannot expect the networks to field every call or query and respond instantaneously, the networks seem to go out of their way to be as inaccessible as possible. When captions suddenly disappear in the middle of a show (most likely due to failure to pass through captions at the local level), it is impossible to alert the local cable station to fix the problem. Simply placing an alert button on the website that allows a consumer to generate a trouble ticket that automatically gets sent to the appropriate staff is easy to do, costs little, generates goodwill, and improves the quality of operations.
2. Networks – broadcast, cable and satellite, are responsible for the quality of captions and should be held accountable. I support TDI's proposal for a general complaint form that can be applied consistently to all providers as well as the FCC.
3. Regarding the tough issue of how to measure quality captions as generated by the captioning agency, I submit that captions must, at minimum, provide a complete rendering of the audio soundtrack, either through literal rendering or appropriate description (for example, a sound effects may be described, such as "blows raspberry" rather than "thhhbbbttrr").

However, quality captions go beyond a mere transcript. The goal of captioning is to replicate the hearing listener's aural experience for the caption reader. This means tone of voice, writing out words when spoken in a foreign language (at the very least, all Spanish in English-language programming must be written out, and vice versa), and other non-speech sounds that convey meaning to the listener.

The one exception would be, in real time captioning, mistarts or stutters, incomplete words, and fillers such as "um" when it is not intentional.

Given all these parameters, I would argue that pre-recorded captions must be nearly 100% perfect. I support the FCC's query of whether an error rate of 0.2% for offline and 3% for realtime captioning to be appropriate. (Re offline, ensuring this level of quality would require the networks to pay the captioning firm sufficiently to allow for review for completeness and accuracy.)

4. Any show that has been recorded in advance (say, at least 12 to 24 hours before airing, should have offline captioning – at the attendant quality levels. Too often, pre-recorded shows are broadcast with “live” captioning. This is annoying because live captions are always 5 seconds or more behind the action, and we KNOW that this show was pre-recorded!
5. Penalties. I believe the FCC needs to be empowered to take a more proactive approach to enforcing the law. This means monitoring networks (to minimize cost, I encourage the use of volunteer consumer monitoring organizations) to ensure compliance, particularly with the pre-rule and new caption standards that go into effect Jan 1, 2006. The FCC must be empowered to use TDI’s complaint form and monitoring data to impose penalties on those stations and networks that fail to comply with either the letter or the spirit of the law.

Thank you for your time and attention to this matter,

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